
Education Committee

SSB 6001

Brief Description: Regarding training for school administrators and security personnel in the use of force.

Sponsors: Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Zarelli, Eide, Rockefeller, Kline and Kohl-Welles).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Directs the Office of the Superintendent of Public Instruction to develop a model policy and training standards on the use of force and physical restraint in schools.

Hearing Date: 3/23/05

Staff: Sydney Forrester (786-7120).

Background:

Physical Discipline

State law permits the physical discipline of a child when it is reasonable and moderate and is inflicted by a parent, teacher, or guardian for purposes of restraining or correcting the child. Any use of force on a child by persons other than those listed above, also must be reasonable and moderate and must be authorized in advance by the child's parent or guardian for purposes of restraining or correcting the child. Certain forms of physical discipline are presumed unreasonable, as are any other acts likely to cause, and which do cause, bodily harm greater than transient pain or minor temporary marks. When determining what is reasonable or moderate, the age, size, and condition of the child, and the location of the injury are considered.

Corporal Punishment

Corporal punishment is defined as any act that willfully inflicts or willfully causes the infliction of physical pain. Washington is one of approximately 28 states that prohibit corporal punishment in schools. Corporal punishment, however, does not include the use of reasonable physical force by a school administrator, teacher, or school employee or volunteer as necessary to maintain order or to prevent a student from harming him/herself, another student, school staff or property.

School District Discipline Policies

Each school district board of directors must establish policies regarding student conduct, discipline, and rights, and must make those policies available to students, teachers, and parents. District procedures related to administering discipline must be developed with the participation of parents and the community.

Individual school building administrators are charged with determining that appropriate student discipline is established and enforced within the school. Principals must confer at least annually with certificated employees to develop and/or review building discipline standards and enforcement of those standards.

A variety of school discipline policies exist statewide, ranging from hands-off policies, to those that permit the use of handcuffs and other physical restraints by persons who are not commissioned law enforcement officers, to policies that permit the use of deadly force.

School Security and Enforcement of Discipline

To meet their security and discipline needs, school districts may use either a combination of school security officers or school resource officers. School resource officers are fully commissioned law enforcement officers who spend all or a portion of their day at one or more school sites. School security officers typically are not commissioned law enforcement officers, although some may be retired from law enforcement.

Decisions regarding the qualifications for employment and the training standards and requirements for school security personnel are made locally. To meet their training needs, districts may partner with local law enforcement agencies, may contract with private providers, or may participate in training courses offered through the Criminal Justice Training Commission (CJTC).

In each of the last two biennia the Legislature has appropriated \$200,000 for the coordination of regional training courses provided by the CJTC in collaboration with the Office of the Superintendent of Public Instruction (OSPI).

Summary of Bill:

The OSPI, in collaboration with, the Washington State School Safety Center Advisory Committee (SSAC), must develop a model policy and training standards for school administrators and school security personnel relating to the use of force and physical restraint in schools. The OSPI must report back to the Legislature by December 30, 2005. The OSPI and the SSAC must work in consultation with the CJTC in developing the model policy and standards.

By March 30, 2006, the model policy and training standards must be made available to school districts and educational service districts via the OSPI's website.

The CJTC must develop training materials to support the model policy and training standards. Training on the use of force and physical restraint must be included in training courses provided by the CJTC for school administrators and safety personnel. In developing the training materials, the CJTC must work in cooperation with OSPI and SSAC.

Appropriation: None.

Fiscal Note: Requested on March 17, 2005.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.